

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

The Sustainability Institute, et al.,                  )      Civil Action Number: 2:25-cv-02152-RMG  
    )  
    )  
Plaintiffs,    )  
    )  
    )  
vs.    )  
    )  
DONALD J. TRUMP, et al.,                                    )  
    )  
    )  
Defendants.    )

**DEFENDANTS' FILING IN RESPONSE TO COURT ORDER (ECF No. 157)**

In its May 20, 2025 Order (ECF No. 157), the Court directed “the Enjoined Agencies to submit a certification to [the] Court within seven days of [the] Order confirming compliance with [the] Order.” ECF No. 157 at 8. The Order defines the “Enjoined Agencies” as “the EPA, USDA, DOE, and DOT.” *Id.* The Court further directed the “Enjoined Individual Defendants to submit a certification to [the] Court within seven days of [the] Order confirming compliance with [the] Order.” *Id.* at 20. The Order defines “Enjoined Individual Defendants” as “Lee Zeldin, in his official capacity as Administrator of the EPA, Brooke Rollins, in her official capacity as Secretary of USDA, Sean Duffy, in his official capacity as Secretary of DOT, and Chris White, in his official capacity as Secretary of DOE.” *Id.*

Pursuant to the Court’s Order, Defendants have attached the following certifications:

1. Certification of Lee M. Zeldin, Administrator of EPA (Exhibit 1);
2. Certification of Brooke L. Rollins, Secretary of USDA (Exhibit 2);
3. Certification of Sean P. Duffy, Secretary of DOT (Exhibit 3);
4. Certification of Chris A. Wright, Secretary of DOE (Exhibit 4).

Following receipt of the Order, counsel for Defendants conferred with counsel for Plaintiffs

regarding the Order's impact on grants that had not yet been finalized, specifically the DOT grants with the City of Nashville (grants 37 and 38 on ECF No. 157-1) and the DOE grant with the City of Baltimore (grant 1 on ECF No. 157-1). Counsel for Defendants informed counsel for Plaintiffs that counsel for Defendants had instructed DOT and DOE to release any funding holds for Baltimore and Nashville's grants, to the extent any exist. Counsel for Defendants further informed counsel for Plaintiffs that counsel for Defendants had instructed DOT and DOE to contact Baltimore and Nashville to continue the grants process needed to finalize the grants and make funds available. Counsel for Plaintiffs indicated their agreement with these steps.

Following receipt of the Order, counsel for Defendants also conferred with counsel for Plaintiffs regarding the Order's impact on grants where the period of performance had ended, specifically two USDA grants (grants 16 and 19 on ECF No. 157-1). Counsel for Defendants understand that counsel for Plaintiffs is still considering grant 16. Counsel for the parties agreed that no further action is needed on grant 19.

Respectfully submitted,

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